

LS-8448

OGC Has Reviewed

Chief of Logistics

29 April 1954

Office of General Counsel

Operation of Agency Busses Within the Departmental
Area During Other Than Normal Working Hours

1. You have requested our opinion regarding the legality of operating shuttle busses within the departmental area during other than normal working hours. You have advised that during the hours 0600 and 0845 and 1700 and 1730 it has been found necessary to provide additional service because of the greater number of personnel to be carried. By way of explanation it is indicated that this increased traffic may be caused by employees utilizing the facilities as transportation from nearby parking lots and bus stops to the various offices and return.

2. At the outset it may be stated that we perceive no legal objection to the operation of Agency busses during other than the normal working hours, to the extent that it is administratively determined that the facilities are needed to provide transportation for employees on official business. In addition, we believe that within the broad guide-lines of official business vis a vis employees' convenience, it is within the province of administrative discretion to determine the type and number of vehicles to be employed in the servicing of Agency needs. Thus, under the circumstances presented, if it be determined that during the hours indicated, six instead of five busses are needed to satisfy Agency requirements, it is our opinion that their operation is authorized, although as a consequence certain employees may use them for their personal convenience. Of course, the additional service could not be devoted exclusively to the transportation of employees between adjacent parking lots, commercial bus stops and their respective offices, in view of the several restrictions on the use of Government vehicles for other than official purposes.

3. The papers are returned.

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Attachment

OGC/RJB:afb

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